

206584US-2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Tsuneyuki Hagiwara

SERIAL NO: 09/841,044

FILED: APRIL 25, 2001

FOR: AERIAL IMAGE MEASUREMENT  
 METHOD AND UNIT, OPTICAL  
 PROPERTIES MEASUREMENT METHOD...



: EXAMINER: UNASSIGNED

: GROUP ART UNIT: UNASSIGNED

PRELIMINARY AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS  
 WASHINGTON, D.C. 20231

SIR:

Prior to examination on the merits, please amend the above identified patent application, as follows:

IN THE CLAIMS

Please cancel the 2<sup>nd</sup> Claim 24 and Claims 25-43 without prejudice or disclaimer and add new claims 44-63 as follows:

--44. (New) The optical properties measurement method according to Claim 24, wherein said first mark and said second mark are the same.

45. (New) The optical properties measurement method according to Claim 24, wherein said measurement pattern is an aperture pattern which width in said scanning direction is set in consideration of at least one of a wavelength  $\lambda$  of said illumination light and a numerical aperture